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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1995

Addendum

KINGDOM OF MOROCCO

[27 July 1995]

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Introduction

1. The Convention on the Rights of the Child, which was adopted on 26 January 1990, constitutes a universal legal instrument designed to promote special protection of children in the hope of contributing to their happiness and forging a society which is more just and more respectful of human rights.

2. Positive and forward looking in its approach, the Convention calls on States to safeguard the best interests of children in all circumstances and to take adequate measures to ensure their healthy and normal development in physical, intellectual, moral, spiritual and social terms, without discrimination and with due respect for freedom and dignity.

3. The Kingdom of Morocco, which has incorporated in its Constitution its commitment to human rights as they are universally recognized, fully shares the values and objectives of the Convention, to which it naturally acceded. The Convention entered into force on 21 July 1993. Through this action, it reaffirmed its commitment to pursue a policy of enabling every child fully to enjoy his or her rights and to obtain the best possible protection.

I. GENERAL MEASURES OF IMPLEMENTATION

4. The Government of Morocco endeavours to ensure, in harmony with its fundamental social and cultural values, that its domestic law is in conformity with the principles and rules established by the international community in the area of human rights in general and that of the rights of the child in particular.

5. In this context, the ratification of the Convention on the Rights of the Child constituted an additional incentive both for bringing its legislation into closer harmony with the provisions of the Convention and for promoting policies relating to children.

A. Measures taken to harmonize national law and policy with the provisions of the Convention (art. 4)

6. In recent years numerous amendments have been made to the legislation in force, affecting criminal, civil, social and administrative provisions and provisions relating to personal status. Many of these amendments have concerned the status of children in general or certain categories of young persons, including young offenders and disabled young persons.

7. Significant progress in improving the situation of children has been made in the institutional and legal spheres. This progress has been reflected in:

Increased measures of protection through specific reforms;

Strengthening of existing measures through the enactment of new provisions;

Administrative and other measures to promote the development and health of young people.

8. Thus, amendments relating to the care of children, guardianship and the obligation to provide maintenance (nafaqa) have been made to the Code on Personal Status, the Code of Obligations and the Code of Civil Procedure. Two new laws have been adopted, one relating to the protection of abandoned children and the other to disabled children.

9. At the same time, an ambitious health programme has been set up with the aim of reducing infant mortality and combating the serious diseases to which children are prone. The desired objective of the numerous vaccination campaigns has been achieved since, during the past year, no case of poliomyelitis has been recorded.

10. The Government is also trying, within the limits of available means, to assign to children sufficient resources to meet basic needs in health and education, and to provide the most disadvantaged categories of children - disabled children, young offenders, abandoned children, etc. - with care facilities and help.

11. The means by which these activities are being undertaken are described in the corresponding sections of this report.

B. Mechanisms for coordinating policies relating to children and for monitoring the implementation of the Convention (art. 4)

12. Among the activities undertaken in this context, particular emphasis should be laid on those of the Ministry of Employment and Social Affairs in implementing the National Plan of Action and those with more general objectives undertaken by the Ministry for Human Rights.

1. The National Plan of Action (PAN)

13. In connection with the World Declaration and Plan of Action for children signed by H.M. King Hassan II in New York in February 1992 and further to the letter from the Director-General of UNICEF inviting Governments to prepare a progress report on the implementation of the World Declaration and Plan of Action, the Ministry of Employment and Social Affairs has coordinated the activities of the various departments involved in the formulation and implementation of this programme.

14. Thus the National Plan of Action (PAN) for the Survival, Protection and Development of Children in the 1990s was officially launched in July 1992.

15. The ministerial departments, NGOs and international organizations concerned were invited to mobilize in order to attain the objectives set within the time-limits established by the PAN.

16. As to the implementation of the objectives, several sectoral activities have been undertaken; they will be described in the various sections of this report.

2. Action by the Prime Minister's Delegated Ministry for Human Rights

17. This Ministry was established in November 1993 and constitutes the institutional integration of the observance, defence and promotion of human rights within government policy.

18. Its essential role is to ensure consultation with citizens and groups, to examine applications and to further the observance of human rights. It also endeavours to ensure that domestic law is in conformity with the various international instruments and to disseminate a human rights culture within society.

19. It is accordingly called upon to devote particular attention to the rights of the child, taking account of the lack of physical and moral maturity of the youngest children, the proportion of the population which they represent and their huge needs both within and outside the family.

20. In this connection, the Ministry's activities are manifold. It participates in the drafting of laws and regulations, promotes urgent action in aid of the most disadvantaged categories, monitors governmental projects in this area, and contacts the authorities concerned with specific aspects of the protection of children and the encouragement and implementation of activities to publicize the condition of children and to disseminate a human rights culture within the fabric of society.

21. To this end, the Ministry has invited child protection associations to engage in ongoing consultation and dialogue with the aim of formulating a joint programme of cooperation.

C. Measures aimed at publicizing the provisions of the Convention (art. 42)

22. Well before the ratification of the Convention, Morocco launched a public awareness campaign to make its provisions known and prepare its practical implementation.

23. Thus several commissions met and considered in detail the legal provisions which would have to be amended in order to achieve conformity of domestic legislation with the provisions of the Convention. Members of universities, associations, public agencies, organizations representing public opinion and the media took part in these consultations and in the public activities to which they subsequently led.

24. Under the aegis of the Moroccan League for the Protection of Children, four commissions composed of jurists, university teachers, representatives of various ministerial departments, and members of parliamentary commissions and associations submitted recommendations and proposals for amendments to legislation relating to personal status, the right to health, labour, education, leisure and culture. All these proposals were brought before the Council of Government and the House of Representatives, which studied the conditions for their adoption.

25. At the same time, the Moroccan UNICEF Association organized in Casablanca from 25 to 27 May 1994 the First National Congress on the Convention on the Rights of the Child. The aim of the Congress was to develop comprehensive study of the means to be implemented in order to give practical effect to the various provisions of the Convention. The Congress was attended by some 300 participants and took place in the presence of the Director-General of UNICEF and representatives of some 20 international organizations. Another of its aims was to promote public awareness and understanding of the meaning of the rights of the child, the conditions for their effective exercise and, above all, the role of everyone in ensuring that their rights are respected.

26. The Second National Congress on the Convention on the Rights of the Child was held from 25 to 27 May 1995 with the aim of examining eight major topics in depth: the child and legislation; the child and education; the child and health; children in a difficult situation; disabled children; the child and self-learning; the child and information; the child and work.

27. In addition, it should be emphasized that the National Congress on the Rights of the Child was declared a permanent institution by H.M. the King. This institution is to function as an observatory and focal point for data relating to the status of children.

28. The approach adopted bears witness to the firm resolve of the Kingdom of Morocco to find ways and means of appropriately integrating the Convention into the global strategy aimed at the well-being of the child in particular and human development in general.

29. Lastly, it may be noted that, on the occasion of the third Children's International Radio and Television Day, a number of special programmes were broadcast. In particular, on 11 December 1994 the 2M television station organized a debate on the rights of the child. The broadcast, in which representatives of the Ministry for Human Rights and national NGOs participated, was produced by children and was marked by the surprise visit of the Minister for Human Rights and the representative of UNICEF in Morocco. These two dignitaries answered children's questions and explained the content of certain provisions of the Convention.

D. Measures taken to make the national report widely available (art. 44, para. 6)

30. The dissemination of this report among the public is one of the means of promoting knowledge of the Convention, examination of ways of improving the status of children, and public awareness of this question and human rights in general.

31. For this reason, as early as the planning stage of this report, NGOs, public departments and experts were asked to provide information for inclusion in the report. Much material was derived from the work of the two National Congresses on Children held in 1994 and 1995.

32. After it has been submitted, it will be widely distributed among all ministerial departments, NGOs, organizations dealing with children and the mass media. Broadcasts and meetings will also be organized in order to elicit comment on it and consider possible solutions to the problems of Moroccan children.

II. DEFINITION OF THE CHILD (art. 1)

33. The age of civil majority has recently been the subject of a legislative amendment. The other age-limits set for particular purposes should in turn be revised with the aim of improving the protection of children.

A. Age of civil majority

34. The age of civil majority, which was previously 21 years, has been lowered to 20 following the reform of the Moudawana or the Code on Personal Status (art. 165) in 1992. In addition, it is still possible, by means of a court order, to emancipate a young person aged 18 at his request or at the request of his guardian. A young person thus emancipated acquires full civil capacity.

35. In addition, in accordance with article 1 of the dahir establishing the Abandoned Children Act of 10 September 1993, "Any minor of either sex who has not reached the age of 18 Gregorian years shall be considered an abandoned child when he is in one of the following situations ...". Thus, Moroccan law has been brought into line with most contemporary legislation and with the Convention on the Rights of the Child as regards the meaning given to the concept of a "child".

B. Minimum legal age for specific purposes

1. Criminal legislation

36. In criminal matters the age of majority is set at 16 by the Penal Code (arts. 138 to 140) and the Code of Criminal Procedure (art. 514).

37. The Penal Code draws a distinction between minors under 12 years of age and minors between 12 and 16 years of age.

38. Minors under 12 years of age are considered as not having responsibility, due to lack of judgement. Where crimes and offences are concerned, they cannot be the subject of protection or re-education measures (Penal Code, art. 138). Such measures are laid down by the Code of Criminal Procedure (art. 516). Where minor offences are concerned, they can only be given a warning.

39. Minors from 12 to 16 years of age are considered as having partial responsibility, due to insufficient judgement. Where crimes and offences are concerned, their status as minors is considered to be an excuse and they can be subject either to the protection and re-education measures laid down in

article 516 of the Code of Criminal Procedure or to one of the reduced penalties laid down in article 517 of the Code. (Concerning the special measures laid down for minors by the Code of Criminal Procedure, see section VIII.B, Children in conflict with the law.)

40. Offenders who have reached the age of majority of 16 for criminal matters are considered to be fully responsible. However, if they are under 18 years of age, the courts may, in a substantiated decision, replace or supplement the penalties laid down under ordinary law by one or more of the protection measures laid down in article 518 of the Code of Criminal Procedure (see section VIII.B).

41. The age used to determine age of majority for criminal matters is the offender's age on the day of the offence. In the absence of a birth certificate, if the date of birth is challenged the court may determine the age after ordering a medical examination and any investigations it deems necessary (Code of Criminal Procedure, art. 515).

42. The draft Code of Criminal Procedure shortly to be submitted to Parliament raises the age of majority to 18 years; it maintains complete lack of responsibility for minors under 12 years of age and diminished responsibility for offenders aged between 12 and 18 on the day of the offence.

2. Right to work

43. The legislation in force governs the hiring of adolescents.

44. The age-limit for public service employment is set at 18 years. However, in the sector governed by the labour regulations (all branches of industry, commerce and agriculture), a special system applies to children from 12 to 18 years of age.

45. Thus, the dahir of 2 July 1947 laying down the general labour regulations stipulates that children under 12 years of age cannot be employed by or admitted into establishments governed by the labour legislation. The same restriction applies to apprenticeships (art. 9) and is confirmed in article 13 of the dahir of 24 April 1973 laying down the labour regime for agricultural workers.

46. Those two laws authorize labour inspectors to order medical visits by public service doctors and to demand, if necessary, that the adolescent be dismissed or assigned to tasks that are compatible with his physical aptitudes and involve no danger to his later development.

47. Night work is prohibited up to and including the age of 16, and there are derogations from the ordinary legislation to protect young wage-earners as regards duration of work, paid leave, medical care at work and health and safety conditions.

48. The draft Labour Code submitted by the Government to Parliament raises the minimum working age to 14 years. The Human Rights Advisory Council, in keeping with the wishes of the Movement for the Protection of Children, has proposed to His Majesty the King that this minimum age be raised to 15 years.

49. Once this reform has been made, Morocco, which has acceded to the Bern Convention concerning night work by women and the ILO Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers, will be able to consider ratifying the other ILO Conventions on the minimum age for admission to employment and gradually extend this legal protection to non-salaried work.

3. Conscription and voluntary enlistment in the army

50. Like all civilian and military employment, employment of young people in the army cannot take place before the age of 18. The same minimum age is required by the Royal Decree of 9 June 1966 for conscription into the army.

51. Access to military training establishments is based on the applicant's undertaking to work for the army, but only from the age of 18. Under that age, pupils in the military high schools follow the same training programmes as pupils in establishments of the national education system and may leave at any time.

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

52. Non-discrimination is a constitutional principle that is reflected in Morocco's ratification of relevant international conventions and the provisions of its domestic law. Article 5 of the Constitution lays down the equality of everyone before the law. Article 8 stipulates that men and women shall enjoy equal political rights. Subsequent provisions guarantee citizens freedom of movement, freedom of expression in all its forms, freedom of association and the freedom to belong to any union or political group of their choice, under conditions of strict equality (art. 9). Finally, articles 12 and 13 establish equality in employment and education.

53. In accordance with those choices, Morocco has ratified a number of international conventions, in particular:

(i) ILO Convention No. 100 concerning Equal Remuneration;

(ii) ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation;

(iii) International Convention on the Elimination of All Forms of Racial Discrimination (7 July 1966), International Convention against Apartheid in Sports (10 December 1985) and Convention against Discrimination in Education (14 December 1960);

(iv) Convention on the Political Rights of Women (9 July 1964);

(v) Convention on the Elimination of All Forms of Discrimination against Women (ratified on 21 June 1993).

54. Moroccan law, for its part, is continually being amended with a view to strengthening equality and combating discrimination. It seeks to incorporate this principle in the basic rules. Article 8 of the draft Labour Code reflects this desire as follows:

> "It is prohibited to discriminate against workers in any way on the basis of race, colour, sex, marital situation, religion, political opinion, national origin or social origin, with the effect of destroying or affecting equal opportunity or treatment in employment or occupation, especially as regards hiring, performance and distribution of work, vocational training, wage, advancement and the granting of benefits, dismissal and disciplinary measures ...".

55. There are, however, derogations to this rule in regard to personal status (more extensive wilaya over girls than boys, lack of adoptive filiation and differences in inheritance), and the basis is religious in nature.

56. In addition, certain changes in workers' right to representation also block participation by young wage-earners in collective life: eligibility to vote and be elected as staff delegates set at 18 and 21 years respectively, 16-year minimum age for joining a trade union and 18-year minimum for being a member of the union administration. The minimum wage regime also authorizes certain reductions in the wages of minors under 18 years of age.

57. But these differences are meant to protect young people at the workplace and gradually integrate them in labour relations. Hence they cannot be deemed discriminatory within the meaning of international law.

58. Equality and non-discrimination, therefore, remain the legal bases for relations in society.

59. Nevertheless, they are not always accepted in practice. In matters of school attendance, vocational training, access to jobs or enjoyment of the benefits of social and educational activities, participation by girls is not always high.

60. Equal opportunities and treatment between the rural and urban areas is also far from achieved, despite some progress made. School attendance in urban areas by girls from 10 to 14 years of age was 79 per cent in 1982 and 86 per cent in 1991. The figures for rural areas in the same years were only 17 per cent and 32 per cent. School attendance by girls is also lower than in the case of boys. For example, the overall rate of attendance at educational establishments by young people from 14 to 16 years of age was 34 per cent in 1990-91. It was, however, 58 per cent in urban areas as against 15 per cent in rural areas. But the number of girls is only 47 per cent in urban areas and 6 per cent in rural areas, or 20 per cent of the entire female population in that age group.

61. The territorial distribution makes for greater disparities. The national school attendance rate for girls in the first cycle of primary education (school year 1992-93) was 40 per cent. But it was 27 per cent for Taounate (a predominantly rural town) and 49 per cent for Casablanca Aïn Sebaa

(prefecture of a major industrial conurbation). The rate of school attendance by girls in rural areas at this same level ranges from 23 per cent in the province of Essaouira (traditionally a town where crafts and fishing are practised) and 44 per cent in the Casablanca Al Fida county seat (most populated prefecture in the country).

62. For the entire female population, the literacy rate in 1982 and 1991 was 42 per cent and 51 per cent in urban areas as against 5.4 per cent and 13 per cent in rural areas.

63. The influence of tradition, the cultural heritage, the poverty of the families of young people not attending school and the urban location of industrial activities and social and economic changes they have prompted since the beginning of the century, shed some light on this data. Despite everything, there have been impressive changes in favour of equal opportunity and treatment in comparison with Morocco's social situation when it gained independence.

64. Past and future efforts in education and employment in particular are the guarantors of continuity in the struggle to eliminate all discrimination in a context of peace and social harmony.

B. Best interests of the child (art. 3)

65. The primary goal of education is the best interests of the child. This is laid down in the Code on Personal Status, which defines guardianship (hadana) as consisting of "protecting the child as far as possible from anything that might harm him, raising the child and watching over his interests" (art. 97). Guardianship is the responsibility of the parents, who are therefore the first to be concerned by the best interests of the child.

66. By virtue of their powers under the law and the power of discernment granted to them, the administrative and legal authorities must also give priority to the best interests of the child.

67. Several legislative texts expressly provide for consideration of the child's interests. For example, article 109 of the Code on Personal Status referring to the hadana of children in school, stipulates that children must spend the night in the home of the person responsible for maintaining them, "unless the judge deems it in the best interests of the child to decide otherwise". In the case of divorced parents, article 111 of the Code provides for weekly visiting rights for the parent not having custody "unless the judge decides otherwise in the best interests of the child".

68. Similarly, article 18 of the dahir establishing the Abandoned Children Act states that the administrative commission responsible for assigning kafala (custody) of abandoned children "may, in view of the reports submitted by the competent bodies, amend or annul the decision relating to the kafala, in consideration of the best interests of the child ...".

69. Articles 5 and 17 of the same dahir state that the institutions to which the kafala of abandoned children may be entrusted belong either to the State, local communities or State-approved bodies and organizations. Regarding State

approval, the Associations Act (15 November 1958) states that approval may be granted "after an inquiry by the administrative authority into [the organization's] purposes and facilities" (art. 9).

70. Therefore, Moroccan law fully meets the requirements contained in article 3, paragraph 3, of the Convention as regards the functioning and control of institutions for the care or protection of children.

C. Right to life, survival and development (art. 6)

71. A child's right to life, like that of all citizens, is protected by various provisions of the Penal Code laying down punishment for attacks on human life (murder, assassination, poisoning, involuntary homicide).

72. Children are given specific protection that starts before they are born. The Penal Code (arts. 449 to 458) authorizes abortion only in cases where it is necessary to protect the mother's health; it must in such cases be performed openly by a doctor or surgeon with the spouse's permission, the latter not being required in cases of emergency if the mother's life is in danger.

73. In all other cases, abortion is an offence punishable by one to five years' imprisonment for the person who performs it and six months to two years' imprisonment for any woman who intentionally has an abortion or attempts to have one. Incitement to abortion is also punishable by two months to two years' imprisonment.

74. Children are also given special protection under the Penal Code, which stipulates punishment for blows, injuries, violence or deprivation in connection with a child under 12 years of age resulting in death (see section V.I, protection against any form of abuse and neglect).

75. Protection of children as regards the other aspects of the right to life, survival and development is ensured by the provisions relating to personal status, the right to work, education, social benefits, etc.

D. Respect for the views of the child (art. 12)

76. Freedom of expression is guaranteed by the Constitution (art. 9). The system of public freedoms confirms this basic freedom. Enjoyment of this right by children involves the same guarantees and is exercised under the supervision of the parents who are responsible for the child's education and care.

77. The law is especially aimed at protecting children's right to express themselves and to be defended when they are the subject of legal proceedings. The juvenile court is therefore bound to advise the child's parents or guardian of any legal proceedings against him. If the minor or his legal representative has not designated a defence counsel, the juvenile court shall appoint a lawyer or ask the President of the Bar Association to do so (Code of

Criminal Procedure, arts. 311 and 526). When a minor brings a civil action suit and has no legal representative, the court may designate a special representative for him (art. 337).

78. In the civil courts, children are represented by their legal guardians (Code of Criminal Procedure, art. 1). But the case must be submitted to the prosecutions department, whose observations must be mentioned in the judgement, failing which the judgement is null and void (Code of Civil Procedure, art. 9).

79. Regarding guardianship, as a result of the recent amendments in the Code on Personal Status (moudawana), article 102 stipulates that custody shall be exercised over boys through the age of 12 and girls through the age of 15. Beyond that age, children may freely choose to live with their mother or father or another of the relatives listed in article 99. Article 10 of the Kafala Act, for its part, states that an abandoned child over 10 years of age cannot be placed in a family without his consent.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

80. The right to a name from birth is based on both our country's history and sociological situation; there can be no doubt today of its legitimacy. Thus, every child is given a first name within a week from birth. The surname, that of the father, is attributed to him by right (Code on Personal Status, art. 83).

81. Regulations pertaining to the civil registry stipulate registration of the birth within 30 days. The civil registry system was extended by the dahir of 8 March 1950 but has not yet reached the entire population. However, a bill is pending that would make registration compulsory for all Moroccans, as well as foreigners, born in Morocco (art. 2 of the bill).

82. As things stand, every child may establish his status by a birth certificate issued by the registrar. If the parents do not register the birth, the administration issues a certificate attesting to the birth on the basis of public knowledge. In this way, all children whether registered or not, may establish their identity, including their name, by means of administrative documents.

83. Nationality is governed by the Code of 6 September 1958 and is acquired by filiation. On this basis, every child born of a Moroccan father or a Moroccan mother and an unknown father is Moroccan (art. 6). Nationality is also attributed, through birth in Morocco, to a child born of a Moroccan mother and a Stateless father or unknown parents. In the latter case, however, a child born in Morocco of unknown parents will be considered never to have been Moroccan if, while he is still a minor, his filiation is established with respect to a foreigner who can transmit nationality (art. 7). The provisions of the Nationality Code are aimed at avoiding a child becoming Stateless, in accordance with the recommendations of article 7, paragraph 2, of the Convention.

B. Preservation of identity (art. 8)

84. The preservation of a child's identity is ensured by the Criminal Code, which punishes failure to declare a child to the civil registry office if such a declaration is mandatory (art. 468). Anyone who, after finding a foundling, fails to declare it to the authorities is also punished (art. 469).

85. Persons who "knowingly, and in circumstances which are likely to make it impossible to identify the child, remove, conceal, cause to disappear or replace a child with another or present the child as having been born to a woman who has not given birth" (art. 470) also incur correctional penalties.

C. Freedom of expression (art. 13)

86. Since 1958 Morocco has followed a liberal code of practice towards fundamental rights and freedoms. Freedom of opinion and expression for all citizens, without any form of discrimination, are upheld in Morocco.

87. In keeping with the path laid out by the 1962 Constitution, the new Constitution which was approved by referendum on 4 September 1992, established fundamental rights and freedoms as basic principles and determined that they may only be restricted by law. Moroccan legislation is thus in complete conformity with article 13, paragraph 2, of the Convention on the Rights of the Child, which states:

> "The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
>
> (a) For respect of the rights or reputations of others; or
>
> (b) For the protection of national security or of public order (ordre public), or of public health or morals."

D. Access to information (art. 17)

88. The Code of Fundamental Rights and Freedoms guarantees all citizens freedom of opinion and expression, in whatever form. On account of its political and trade-union pluralism, Morocco has made major strides in the exercise of fundamental rights and freedoms.

89. In respect of access to information, it should be emphasized that the number of press organs continues to increase and the right to bring out a new publication requires no formality other than notifying the judicial authorities. Any citizen may publish a newspaper, whether it relates to politics, culture, art or sport or is of a professional nature. In 1991, the number of publications in Morocco totalled 306, with 182 in Arabic and 124 in French, as follows: 19 dailies, 48 weeklies, 59 monthlies, 17 bimonthlies, 16 quarterlies, 60 periodicals, 8 annuals and 79 irregular. In 1992, the figure rose to 473, and to 517 in 1994, with 334 in Arabic and 183 in French. Moreover, the foreign press circulates freely in Morocco.

90. The national news agency, Maghreb Arab Presse, which has regional offices and 14 international offices, issues some 15,000 words of information a day in Arabic, French, Spanish and English.

91. The national broadcasting service, with its nine regional stations, national and international services and programmes in local dialects, broadcasts over 110 hours of programmes per day, reaching 95 per cent of the population on long-wave, 84 per cent on medium-wave and 46.25 per cent on FM. A private broadcasting station has also been operating since 1980 and broadcasts in Arabic and French for 18 hours per day. Several programmes broadcast by the various stations are intended for children. Their purpose is to provide children with a variety of social and cultural information.

92. Morocco currently has one national television channel which reaches some 84 per cent of the population and broadcasts 12 hours a day; it also has a private channel which started up in 1989. A considerable proportion of both channels' programming is for children (see section VII, C, Leisure, recreation and cultural activities). Moreover, access to information has grown in recent years as a result of television programmes freely picked up by satellite dishes.

93. Thus, children's programmes in the media come from both national and international sources, thereby offering Moroccan children access to other cultures while preserving their roots in their Arabic-Muslim culture.

94. Morocco's policy in this matter accordingly reflects article 17 of the Convention on the Rights of the Child.

E. Freedom of thought, conscience and religion (art. 14)

95. In line with previous Constitutions, the 1992 Constitution affirms the equality of all before the law (art. 5) as well as freedom of opinion and expression in whatever form (art. 9) and underscores that the State guarantees freedom of worship for all (art. 6).

96. Freedom of worship is demonstrated by the recognition of the right to free public worship for all monotheistic religions.

97. On account of its historical presence, the members of the Jewish community are entitled, as in the past, to the application of their own personal law by their religious institutions.

98. Nevertheless, article 6 of the Constitution declares that Islam is the State religion. Morocco's population is in fact almost entirely Muslim. Accordingly, Muslim religious values are incorporated in Moroccan society and are naturally followed by the Government in its activities and by the people. As far as domestic law is concerned, the principle that a legitimate child of a Muslim father is of the Muslim faith is followed by the Code on Personal Status.

99. For this reason, criminal law punishes behaviour that is likely openly to offend the religious sentiments of the community, as well as any attempt to

undermine the faith of a Muslim or to convert him or her to another religion (Criminal Code, arts. 220, et seq.) as well as public interruption of fasting during the month of Ramadan.

100. For the same reasons, Morocco's practice in respect of treaty law is to make reservations whenever any provisions directly conflict with basic religious principles. Such is the case with article 14, paragraph 1, of the Convention on the Rights of the Child.

F. Freedom of association and assembly (art. 15)

101. Freedom of association and of peaceful assembly are guaranteed by the Constitution (art. 9), which ranks them among its fundamental principles.

102. Applicable legislation respects the freedom of the individual and the equality of citizens. The relevant dahir, of 15 November 1958, requires an administrative declaration, rather than prior authorization, for associations to be established. Similarly, the dissolution or annulment of an association may only be declared by the courts and on serious strictly specified grounds: unlawful purpose, disturbance of public order, infringement of morals or breach of the law.

103. In an emergency, an administrative authority may request the suspension of an association. However, the decision has to be taken by a decree signed by the Prime Minister, after discussion in the Council of Ministers.

104. All lawfully constituted associations possess legal personality and locus standi. Associations whose aim is in the public interest may be declared of public utility. They are thus authorized to increase their assets beyond what is strictly necessary for them to operate and are entitled to seek resources other than members' subscriptions and the proceeds from their activities. Unions and federations of associations are required to comply with the same rules of law.

105. This liberal framework has encouraged the emergence of more than 20,000 non-profit-making associations, essentially engaged in sports, cultural, artistic, scientific and charitable activities. Some 200 of these associations provide assistance to children, including:

Children as a whole	18
Visually impaired children	13
Physically disabled children	45
Deaf and dumb children	13
Mentally handicapped children	17
Children suffering from multiple handicaps	28

Seven of the NGOs serving children and the family have princesses as their chairpersons. In addition to the symbolic nature of their chairmanship, it provides the associative movement with effective and decisive support.

106. Thanks to the support for these associations from local communities and specialized Ministries (Youth and Sport, Social Affairs, Education, Habous),

but also outside any official framework, they pursue manifold activities in neighbourhoods, in training establishments, in towns and villages and at the national and sometimes even the international level.

107. It is not possible to determine from available statistics the actual proportion of children who take part in the various recreational, sports and cultural activities or the total number of facilities provided for them. As an indication, some data collected by the youth and sports administration in 1993 indicate: 1,613 sports clubs, 350 women's clubs and 239 youth centres, frequented by 1,440,639 individuals.

108. The regulations on public meetings make no provision for any form of administrative authorization. The law classifies as a public meeting any temporary organized assembly to address matters set down in a previously defined agenda. The organizers of such meetings are required to declare them in advance to the local authority. The same procedure applies to assemblies organized on the public highway. The competent administration may only object to such assemblies if it deems that they are likely to disturb public order. However, the prior declaration is no longer required in the case of assemblies on the public highway held in conformity with local customs or meetings of "lawfully constituted associations and groups with specifically cultural, artistic or sports purposes", or again, for charitable meetings.

109. Thus, both in associations and in informal groups, young people engage in many private or public activities or activities pursued in public places. Some of them are organized by the State or by NGOs (extracurricular, educational, religious, cultural and sports activities). Many others also make use of public facilities. Most of these activities depend exclusively on voluntary commitment and on the initiative of the organizers, on the sense of shared purpose and the support provided by a people traditionally receptive to community social activities.

110. It is true that violations of freedom to hold meetings or of assembly have occasionally been denounced, particularly where political assemblies are concerned. However, these complaints have never concerned activities intended for children or organized by them.

111. In this connection, it should be pointed out that the regulations applicable to associations correspond to the rules of ordinary law relating to capacity. Consequently, the establishment or membership of associations by minors is subject to parental consent. However, in practice the explicit agreement of the legal representative is required when a minor wishes to establish an association or to take part in running it. In contrast, such agreement is taken for granted where straightforward membership of lawfully constituted associations is concerned.

112. In actual fact, the problems encountered by the community organizations movement are material rather than juridical. As Morocco's population is extremely young (2 persons out of 5 are under 15 and 1 out of 2 under 20), the needs in regard to infrastructure, leadership and facilities for social, educational, recreational and sporting activities are huge.

113. Rapid urbanization has considerably cut into open spaces and the population's low standard of living gives children little opportunity to enjoy the leisure, amusement and educational facilities that modern towns and cities can offer.

114. The State makes sustained efforts to promote institutions for children and young people. However, they are notoriously inadequate, in particular in rural areas, outlying neighbourhoods and as far as children not enrolled in school are concerned.

G. Protection of privacy (art. 16)

115. Protection of privacy is a right extended to everyone under the Constitution, which guarantees the inviolability of the home (art. 10) and confidentiality of correspondence (art. 11).

116. Someone who is a minor for the purposes of criminal law (see section II, B, 1) is, moreover, entitled to special protection when he appears before the courts charged with an offence. Whatever jurisdiction is competent, the hearing is held in camera (dahir of 28 September 1974 setting out measures for the application of the dahir of 15 July 1974, title IV).

117. Furthermore, decisions by juvenile courts are entered in a special register which is not public (Code of Criminal Procedure, art. 561). Decisions involving protection or re-education measures are entered solely on the criminal record intended for judges, to the exclusion of any other administrative or public authority. After a five-year period, the court which ordered the measure may have the entry deleted, either of its own authority or at the request of the interested party or of the Government Procurator (Code of Criminal Procedure, arts. 562 and 563).

H. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37)

118. In this regard, children are entitled to the same protection from the law as is anyone else. The Penal Code refers specifically to torture in two articles:

> In the case of the abduction, detention and false imprisonment of persons by individuals; if the person abducted, detained or falsely imprisoned is physically tortured, the sentence is increased and the penalty incurred is the death penalty (Penal Code, art. 438);
>
> The death penalty may also be incurred by anyone who employs torture or barbarous acts to commit an act classified as a crime (Penal Code, art. 399).

119. In addition to the aforementioned protection against torture by individuals, article 10 of the 1992 Constitution stipulates that "no one may be arrested, detained or punished except in the cases and in the manner prescribed by law".

120. The Code of Criminal Procedure stipulates that no one may be held in pre-trial detention or pursuant to a custodial penalty except in a penal establishment and by virtue of a legal warrant, a warrant of commitment, a sentence or a conviction (art. 653).

121. The principle of presumption of innocence is specifically set out in the opening lines of the introductory text to the Code of Criminal Procedure and underlies the rules relating to the prosecution and judgement of offences. Arrest, police custody, pre-trial detention and imprisonment are strictly regulated.

122. Consequently, during police custody, pre-trial detention or imprisonment following a conviction by the courts, any form of torture, cruel, inhuman or degrading treatment is expressly prohibited. Anyone guilty thereof would be liable to heavy penalties. The Penal Code prescribes particularly severe punishment for any judge, public official or law-enforcement officer who uses or orders the use of violence in the exercise of, or in connection with, his duties (art. 231).

123. Morocco has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

124. It is universally recognized that, in exercising their authority, the parents decide on the appropriate guidance and steps to provide their child with the education they consider appropriate. The legal foundation for this right is contained in article 99 of the Code on Personal Status, which stipulates that the custody (hadana) of the child "counts among the obligations of the father and mother for as long as they are linked by the bonds of matrimony". Accordingly, parents are responsible for deciding on any educational measures concerning their children. The law only intervenes in situations where the interests of the child are at risk.

125. Parents are thus required to fulfil certain obligations which are the essential rights of the child, and in particular:

To declare the child's birth to the registrar (dahir of 4 September 1915 relating to civil status, art. 21);

To enrol the child in a teaching establishment (Act of 13 November 1963);

To have the child vaccinated against certain serious illnesses;

To inform the administrative authorities if the child comes under the regime of special legislation concerning the welfare of the blind and visually impaired (Act of 6 May 1982, art. 3).

126. The law intervenes within the family unit only when the parents commit acts of violence against their children or by their behaviour expose them to

physical or moral danger (see below, I. Protection against any forms of abuse and neglect). The child may then be withdrawn from his family (see below, C. Separation from parents).

B. Parental responsibilities (art. 18, paras. 1-2)

127. Article 99 of the Code on Personal Status entrusts children to their father and mother for as long as the marriage relationship lasts. Both parents are also responsible for registering their child with the civil registry, then for enroling 2the child in school and for supervising his or her education and actual school attendance.

128. To this end, the State takes steps to support parents, either by direct child support, or by providing services and special rights (crèches, mother and child health programmes, family allowances, tax relief, exemptions from the labour regime during nursing, the possibility of taking special leave and leave without pay from the civil service to bring up children or to care for a disabled child, etc.).

C. Separation from parents (art. 9)

129. If parents divorce, the Code on Personal Status determines how custody of the child is to be awarded (art. 99). The parent awarded custody must not prevent the other from visiting the child or from inquiring after it. The parent without custody may, if he so requests, have the child brought to visit him or her at least once a week, unless the court decides otherwise in the interests of the child (Code on Personal Status, art. 111).

130. The Penal Code penalizes failure to comply with decisions concerning custody and visiting rights (under arts. 476 and 477 the penalty for failure to produce the child is one month to one year's imprisonment and a fine).

131. When parents commit acts of violence against their children or, on account of their behaviour, expose their children to physical or moral danger, the law stipulates withdrawal of paternal authority and the child is then separated from his or her parents. This is possible in three circumstances:

(i) When, after a parent has been convicted for a crime or offence punishable by law with imprisonment, committed on the person of his children, the conviction specifically stipulates that the habitual behaviour of the convicted parent "places his or her under-age children in physical or moral danger" (Penal Code, art. 88);

(ii) If the parents are unable to ensure the child's protection and education "for reasons of force majeure independent of their will" (art. 1 of the dahir establishing the 1993 Abandoned Children Act);

(iii) In the case of "dissolute parents who fail to assume their responsibility to provide protection and guidance to a child along the right path" (ibid).

132. In the last two cases, the court of first instance, after an investigation into the parents, rules that the child is abandoned. Kafala

may then be vested in an institution or a couple in conformity with the provisions of chapter II of the dahir establishing the Abandoned Children Act of 10 September 1993.

D. Family reunification (art. 10)

133. Implementation of article 10 of the Convention does not raise any problems of a legal nature. Freedom of movement is made a principle written into the Constitution (art. 9) and it guarantees, both to nationals and foreigners, the right freely to leave the country. Similarly, entry into Moroccan territory is restricted for foreigners only if it constitutes a threat to national security or is prejudicial to public order. Therefore, if the parents reside in different countries, visits by parents to their child, and by the child to each of his or her parents, can be made freely and will not be obstructed by any rule of law.

134. On a practical level, sustained efforts are being made to solve problems arising out of inter-country family conflicts (see below, "H. Illicit transfer and non-return").

135. With regard to the temporary residence of foreigners, the authorities responsible for monitoring foreigners systematically grant authorization for such residence to the whole family (parents and children) if the father or mother holds a foreign resident's card and a residence permit.

E. Recovery of maintenance for the child (art. 27, para. 4)

136. Under Moroccan law, maintenance is the responsibility of relatives in the first degree to the exclusion of all others. Requests for maintenance are made to the competent national court on the basis of either the respondent's or the claimant's domicile, whichever the claimant chooses. The decisions are handed down in accordance with an accelerated procedure and are enforced notwithstanding any appeal.

137. This legal provision was recently improved upon by three dahirs of 10 December 1993 (dahirs amending the Code on Personal Status, the dahir establishing the Code of Obligations and Contracts and the Code of Civil Procedure). It sets out in particular:

(i) The ability to order, in the same month as the legal action is brought, payment of a provisional maintenance allowance, together with enforcement merely on production of the original of the decision;

(ii) Exemption from all duties and taxes;

(iii) Criminal punishment for refusal to comply with a court decision relating to the payment of maintenance; the penalty is the same as for family desertion (Penal Code, art. 479);

(iv) Recognition of a special privilege to protect the maintenance allowance from any other creditors of the person owing the maintenance;

(v) The continued validity of the decision awarding maintenance until review or extinction of the right to maintenance.

These amendments are in line with article 27 of the Convention.

138. It should also be noted that family allowances and welfare benefits are paid, following dissolution of the marriage, to the parent having custody of the child (art. 40 of the dahir of 30 December 1972 concerning the Social Security Scheme and art. 5 of the decree of 27 November 1958 setting the conditions for the allocation of family allowances for civil servants, military personnel and State, municipal and public institution officials). Moreover, article 6 of the dahir of 1972 concerning the National Social Security Scheme stipulates "If, after inquiries, it is established that children are being raised in clearly unsatisfactory conditions as far as food, accommodation and hygiene are concerned, or if the allowance is not being used for the benefit of the children, the Board of Directors of the National Social Security Scheme may decide that all or part of the allowance will be paid to an appropriate natural or artificial person".

139. With regard to the recovery of maintenance from abroad, on 3 October 1959 Morocco ratified the Convention on the Recovery Abroad of Maintenance, adopted in New York on 20 June 1956. It has also signed a number of bilateral agreements for judicial cooperation to facilitate settlement of problems arising in this area.

F. Children deprived of a family environment (art. 20)

140. In the event of the parents' divorce, one of the parents is given custody of the child. The visiting rights of the other parent are set out in a court decision. When neither parent is in a position to be given custody, it is awarded to one of the mother's, or the father's, relatives according to the order of priority established in article 99 of the Code on Personal Status.

141. A special system established under the dahir establishing the Act of 10 September 1993 applies to abandoned children and children of unknown parents. This makes provision for a declaration of abandonment to be issued by the court of first instance. The child is first placed in a health-care establishment or in a specialized home run by the State, the local authorities or a State-approved association (art. 5).

142. If the competent court officially declares that the child has been abandoned, he or she is entrusted either to a public institution specializing in child care or to a State-approved welfare body, or else to a Muslim couple who have been married for at least three years and can provide guarantees of means, good health and morality (art. 7, para. 2).

143. The person or institution providing the kafala must ensure the child is brought up in a healthy family environment and provide for his or her needs until he or she comes to legal age (art. 23). The child is under the guardianship of the juvenile court of first instance (art. 6).

144. The Ministry of Employment and Social Affairs manages the homes for orphans and abandoned children. In 1994 there were 235 institutions

accommodating 27,000 children. At the same time, various NGOs run establishments to care for children who have lost, or been separated from their family.

G. Adoption (art. 21)

145. In Morocco full adoption creating ties of filiation with the adoptive family and giving the adopted child the same legal status as a legitimate child does not exist. This practice is not accepted under Islamic law.

146. This by no means implies that abandoned children are neglected. A dahir of 10 December 1993 regulates the situation of such children. It defines the term "abandoned child", it provides for registration of the civil and legal status of such children, sets out the kafala procedures and specifies the legal implications. (See above, section "F. Children deprived of a family environment".)

147. Morocco is currently negotiating accession to the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. However, as article 40 of the Convention does not permit any reservation and full adoption is not recognized under Moroccan law, accession to the Convention is not certain.

H. Illicit transfer and non-return (art. 11)

148. In accordance with article 11, paragraph 2, of the Convention on the Rights of the Child, Morocco endeavours to prevent the illicit transfer and non-return of children abroad by negotiating agreements on judicial cooperation.

149. One example is article 20 of the Franco-Moroccan Convention signed on 10 August 1981, which states:

> "The central authorities agree to assist one another in tracing and locating in their respective States displaced children whose custody is contested or unknown. They shall satisfy any requests for information concerning the mental and physical well-being of such children. The central authorities shall take or arrange any measures necessary to ensure voluntary return of the children or to facilitate an amicable solution. In emergencies, they shall arrange for any interim measures to be taken to help prevent further harm to the child or other adverse consequences for the parties concerned (...).
>
> The central authorities shall take or arrange any measures to facilitate the exercise of visiting rights. They shall cooperate in organizing in both States visiting rights and accommodation for the parent who does not have custody and shall remove all possible legal obstacles to that right.
>
> They shall also cooperate to ensure respect for the conditions required by the authorities with regard to the implementation and free exercise of this right and to the relevant commitments undertaken by the parties.

In regard to custody and visiting rights, court decisions in either States may be declared enforceable in the other State by the courts of that State (...). The central authorities shall refer such requests directly to their relevant judicial authorities for a decision."

150. In the same matter, Morocco and Belgium have held consultations on an agreement that has not yet been ratified. A protocol of agreement is under discussion with the Netherlands and should lead to an agreement pertaining to the family.

151. Similar steps have been taken and discussions are currently under way with Spain, Italy, Tunisia, Algeria, Egypt and Syria.

152. Furthermore, Morocco participates in the Hague Conference on Private International Law. It is currently negotiating accession to the Convention on the Civil Aspects of International Child Abduction, of 25 October 1980, and to the Convention concerning the Powers of Authorities and the Law applicable in respect of the Protection of Infants, of 5 October 1961.

I. Protection against any form of abuse and neglect (arts. 19 and 39)

1. Protection against any form of abuse and neglect

153. Under the Penal Code violence and assault are punishable, whoever the victim may be, and penalties range from 1 to 15 days' detention to life imprisonment, depending on the severity of the injuries inflicted and the circumstances of the offence.

154. However, children under 12 years of age enjoy special protection against all forms of maltreatment. Article 408 of the Penal Code stipulates that "anyone who deliberately beats or wounds a child under 12 years of age or deliberately deprives him or her of food or care to such an extent that his or her health is jeopardized, or deliberately commits any other acts of violence and assault, with the exception of very minor acts of violence" shall be punished.

155. It should be emphasized that the Code protects children not only against maltreatment inflicted through concrete acts - beating, wounding and assault - but also against depriving the child of care to such an extent as to jeopardize his or her health. Making an exception of very minor acts of violence is purely intended to retain the parents' right to discipline their children while raising them and only within reasonable limits.

156. The penalty for the offence under article 408 of the Penal Code is commensurate with the severity of the injuries or illnesses arising from the maltreatment:

If the beating, wounding, assault or deprivation has not caused illness or disability, or if they have resulted in an illness, immobilization or disability lasting less than 20 days, the penalty is 1 to 3 years' imprisonment;

If it has resulted in an illness, immobilization or disability lasting more than 20 days, or if there was premeditation, a trap or the use of a weapon, the penalty is 2 to 5 years' imprisonment. The offender may also be liable to the loss of certain civil rights for a period of 5 to 10 years, and also expulsion;

If it has caused mutilation, amputation, loss of the use of a limb, blindness, loss of an eye or other permanent disability, the penalty is 10 to 20 years' imprisonment;

If the result has been death without intent, the penalty is 20 to 30 years imprisonment;

If the result has been death without intent, but caused by repeated violent practices, the penalty is life imprisonment;

If the beating, wounding, assault or deprivation has been practised with intent to cause death, the offender will face the death sentence.

157. If the offender is a parent, or any other person with authority over the child or with custody of the child, the penalty is increased as specified in article 411 of the Penal Code:

If there is no illness or disability or if the illness or disability lasts less than 20 days, the penalty is 2 to 5 years' imprisonment;

If the illness or disability lasts more than 20 days, the penalty is 2 to 10 years' imprisonment;

In the event of mutilation, amputation, loss of the use of a limb, blindness, loss of an eye or other permanent disability, the penalty is 20 to 30 years' imprisonment;

If the result has been death without intent, the penalty is life imprisonment;

If the result has been death without intention, but caused by repeated violent practices, or if the maltreatment has been inflicted with intent to cause death, the death penalty shall apply.

158. Furthermore, in the section on protection measures the Penal Code stipulates that a parent who has committed an offence against his child's person can be deprived of his parental authority. This loss of parental rights is pronounced by the court trying the offence committed by the parent against his child's person, in accordance with the provisions of article 88 of the Code:

"If a trial court convicts a parent of a crime or offence that is legally punishable by imprisonment, committed against the person of one of his or her under-age children, and it finds and expressly declares in its decision that the usual behaviour of the convicted person constitutes a physical or moral danger for his under-age children, it shall withdraw his parental authority".

159. This may apply to all or some of the rights of parental authority and may be pronounced in respect of just one or more of the children. Provisional enforcement of this measure can be ordered as part of the sentence, notwithstanding resort to all general or special appeals.

160. However, these measures meet with resistance from persons who still find it hard to accept interference by the public authorities in the family unit.

2. Recovery and social reintegration measures

161. Articles 566 and 567 of the Code of Criminal Procedure provide protection for children who have been victims of crimes or offences.

162. If a crime or offence is committed against the person of a minor under 16 years of age, the juvenile court may, at the request of the Government Procurator's Office, or ex officio, simply order that the minor who has been the victim will, until the final decision on the crime or offence is given, either be placed with a trustworthy individual, in an establishment or with a private charity, or otherwise be entrusted to the appropriate public welfare service. No judicial remedy lies against such a decision.

163. Furthermore, in the event of a conviction for a crime or offence against the person of a minor, the Government Procurator's Office can, if it considers that it is in the best interests of the minor, inform the juvenile court, which is responsible for ordering any protection measures.

164. It has to be acknowledged that the mechanisms for the protection of children are insufficient. This situation, due to a lack of material and human resources and despite the authorities' clear commitment, is an obstacle to the application of protection measures for children, both in their family environment and when it proves necessary to withdraw them from that environment.

J. Right to periodic review of placement for purposes of care, protection or treatment of a child's physical or mental health (art. 25)

165. Several articles in the Code of Criminal Procedure deal with changes in and reviews of supervision and protection measures (arts. 554-560).

166. Regardless of the court which ordered them, recovery and reintegration measures under the Code of Criminal Procedure may be reviewed at any time by the juvenile court, either at the request of the Government Procurator's Office, or on the basis of a report by the probation officer (regarding non-custodial supervision and the role of probation officers, see section VIII.B.4, "physical and psychological recovery and social reintegration"), or ex officio.

167. Not less than one year after the enforcement of a decision to place a minor outside his or her family, the parents or guardian can submit a request for the return or restoration of custody, substantiating their fitness to raise the child and showing a satisfactory improvement in his conduct. The

minor himself can ask to be returned to the custody of his parents or guardian and must substantiate an improvement in his conduct (Code of Criminal Procedure, art. 555).

VI. HEALTH AND WELFARE

A. Survival and development (art. 6, para. 2)

168. During the 1980s, the state of health of the child population was particularly worrying, with very high neonatal, infant and child mortality rates, standing at around 41.1 per cent, 73 per cent and 31 per cent respectively (period 1982-1986).

169. According to the survey carried out in 1988 on the causes and circumstances of death, mortality in the 0-4 age group is linked essentially to the following problems:

Diarrhoeal diseases in 26 per cent of cases;

Vaccination-target diseases in 16 per cent of cases;

Acute respiratory infections in 11 per cent of cases.

170. In addition, nutrition surveys (National Population and Health Survey, 1971, 1987 and 1992) had revealed the magnitude of the problem of malnutrition, reflected in diseases of which the most important is diarrhoea. This is the primary cause of infant and child morbidity and mortality, notwithstanding the lower rates recorded between 1987 and 1993, with the proportion of children who had suffered from diarrhoea dropping from 17.6 per cent in 1987 to 6 per cent in 1992.

171. Conscious of the seriousness of this disease, which is the chief cause of post-natal and child deaths, the Ministry of Health has stepped up measures to prevent diarrhoeal diseases, incorporating them in mother and child health protection programmes.

172. Since the survival and harmonious development of children depend on a climate of well-being and family happiness, the Ministry of Health has made family planning one of its national priorities. Encouraging results have been obtained in this connection with a significant improvement in the knowledge and practice of contraceptive methods on the part of the Moroccan population. This has had the result of considerably reducing the fertility rate. The rate of contraceptive use rose from 19.4 per cent in 1979-1980 to 42 per cent in 1992 and the fertility index from 5.6 in 1980 to 4.2 in 1992.

173. In order to promote children's health, a number of activities are being carried out under health programmes established for that purpose by the Ministry of Health. These activities are backed by considerable efforts in respect of health education, water-quality control and sanitation, both through fixed health-care facilities (hospitals, health centres, dispensaries) and through strategies based on a mobile approach (regular visits by itinerant health workers, mobile teams, establishment of muster points).

1. National Programme for the Prevention of Diarrhoeal Diseases

174. The general objective of this Programme is to reduce by 50 per cent morbidity and mortality linked to diarrhoeal diseases by the year 2000, in keeping with the aims of the World Summit for Children held in 1990.

175. Diarrhoeal diseases are the chief cause of infant and child mortality, with 26.7 per cent of deaths occurring in the 0-5 age group in 1988. The incidence of diarrhoea is reported to be four to eight episodes per child yearly.

176. Rates of use of oral rehydration therapy (ORT) and oral rehydration salts (ORS) are reported to be 60 and 68 per cent respectively (1994).

177. In order to attain this general objective, the Programme for the Prevention of Diarrhoeal Diseases has established the facilities needed to:

Provide health care in all cases of diarrhoea identified in health-care facilities or encountered by itinerant health workers;

Supply packets of ORS to any child suffering from diarrhoea;

Teach mothers how to prevent and provide early home care for any occurrence of diarrhoea;

Carry out consciousness-raising and educational campaigns directed at mothers;

Carry out educational campaigns for the prevention of diarrhoea among children.

178. Assessments show that, thanks to this Programme, diarrhoeal disease is better understood by the population, that children suffering from diarrhoea are properly cared for and that cases of acute dehydration are in sharp decline.

2. National Programme for the Prevention of Deficiency Diseases

179. This Programme also aims to reduce infant and child mortality by early detection and care of children suffering from malnutrition. Accordingly, all the infants and children concerned benefit from nutritional support and medical supervision, either as in-patients or as out-patients, depending on the degree of nutritional deficiency. Weaning flour is distributed free of charge for these children.

180. Besides detecting cases of malnutrition, the Programme also seeks to ensure the proper somatic and psychomotor development of children by having their weight and size regularly monitored by health personnel.

181. Measures being taken under the Programme include:

Prevention of rachitis among children under the age of two through the systematic distribution of vitamin D;

Introduction of new strategies for the detection of malnutrition;

Establishment of a national plan for the promotion of breast-feeding and application of the international code of marketing of breast-milk substitutes;

Prevention of hypo-ferric anaemia among children and pregnant and nursing mothers through the distribution of iron tablets.

3. National Immunization Programme

182. Optimum immunization coverage has been achieved through the Programme, under which all health facilities nationwide have received supplies of vaccine and have been helped in their work by consciousness-raising campaigns under royal patronage and benefiting from the effective involvement of H.R.H. Princess Lalla Meryem, resulting in a very substantial reduction in the incidence of the six target diseases, tuberculosis, diphtheria, tetanus, whooping cough, poliomyelitis and measles. Since 1990, special efforts have been made to eradicate poliomyelitis.

183. The Programme has set the following objectives:

Eradication of poliomyelitis by the year 2000;

Elimination of neonatal tetanus;

Lowering of the incidence of whooping cough and eliminating it as a cause of death;

Introduction of vaccination against hepatitis B.

4. National School Health Programme

184. This Programme, which has been radically recast, aims to promote good health among the school population. In particular, it ensures the early detection of disability and disease so that they can be treated as soon as possible. It also seeks to provide therapeutic care, regular and systematic examinations and vaccinations or monitoring of previous vaccinations and to detect visual and auditory deficiencies. Lastly, it promotes health education in several fields, including sexuality and measures to combat unhealthy practices (nicotine addiction, drug addiction, STD and AIDS).

5. National Programme for the Prevention of Acute Respiratory Infections

185. The objective of this Programme is to reduce mortality and morbidity due to acute respiratory infection by providing proper care for cases identified in medical care facilities and by itinerant health workers. The cases detected receive appropriate care (antibiotics and antipyretics) and suitable advice. Health facilities have been equipped and professionals trained to facilitate the provision of care for such cases.

6. National Family Planning Programme

186. The National Family Planning Programme (PNPF) is helping to reduce infant, child and maternal mortality and to promote good health among women of child-bearing age by informing them of the benefits of longer periods between births and by offering them good family-planning services.

187. Thanks to the efforts made, considerable progress has been achieved in furthering knowledge and use of contraceptive methods, as was demonstrated by the 1992 National Population and Health Survey:

99 per cent of the population are acquainted with contraceptive methods; the rate of use is as follows:

urban: 54.4 per cent

rural: 31.6 per cent.

188. With a view to further progress, the PNPF has set the following objectives for the year 2000:

Attain a rate of use of modern contraceptive methods of 50 per cent;

Modify the contraceptive mix through reduced use of the pill and greater recourse to long-term methods: intra-uterine devices, implants and injectable means.

189. To achieve its objectives, the PNPF is planning the following action:

Securing private-sector participation;

Offering wider access to family-planning services in rural areas in order to remedy the existing disparity with urban areas;

Developing and coordinating intersectoral collaboration;

Improving the quality of the services provided.

7. No-Risk Maternity Programme

190. The Ministry of Health attaches particular importance to maternal health. The strategies adopted are aimed at reducing maternal mortality by 25 per cent and neonatal mortality by 30 per cent by improving the quality of pregnancy and childbirth care in basic health care and hospital facilities and by strengthening the system for dealing with obstetric complications.

191. The objectives assigned to the programme are:

To improve the quality of detection and handling of pregnancies at risk;

To improve the quality of obstetric and neonatal care;

To strengthen and improve the system for transferring cases of obstetric complications;

To improve the managerial skills of local personnel.

192. To increase the accessibility and use of services in the interests of a high standard of obstetric care and the detection of high-risk pregnancies, measures are being taken under the Programme to fit out or renovate health centres, dispensaries, rural maternity clinics and urban maternity hospitals. These activities are a basic component of the No-Risk Maternity Programme.

193. A major concern of the Ministry of Health is to inform and educate traditional midwives, having regard to the fact that nearly two thirds of babies are born at home, especially in rural areas.

8. Programme for the Prevention of Iodine Deficiency Disorders

194. Mindful of the number of people suffering from disorders due to iodine deficiency and having regard to the risk that such disorders entail for children, the Ministry of Health has drawn up a prevention and treatment programme designed to ensure the general long-term availability of iodized salt and the supply of an iodized oil supplement for groups suffering from such deficiencies. These measures should be underpinned by appropriate legal provisions and by an information, education and communication programme tailored to the various target communities.

195. The Programme has been assigned the following objectives:

To prevent further cases of iodine deficiency among newborn babies in the future by ensuring that mothers and children have regular and sufficient intakes of iodine;

To ensure regular supplements of orally administered iodized oil for people in the most severely affected regions, pending the general inclusion of iodized salt in the daily diet of Moroccans;

To introduce legislation providing for the general iodization of salt and prohibiting the sale on the Moroccan market of non-iodized salt;

To work out the practical ways and means of iodizing salt and ensuring iodized salt control throughout the process from production to consumption, stipulating the penalty for fraud in this connection;

To start up sales of iodized salt on the market in 1995 and to promote its general availability throughout the country in the near future;

To encourage the use by Moroccan consumers of iodized salt by means of an information, education and communication strategy consonant with the knowledge and practical attitudes of the various target groups.

B. Disabled children (art. 23)

196. Disabled children require special care and supervision, often at great cost to families.

197. To ensure the welfare of children suffering from motor disabilities, the Ministry of Employment and Social Affairs runs specialized centres in four cities in the Kingdom (Khemisset, Casablanca, Essaouira and Laayoune). These institutions provide such children with a normal education and also have the requisite canteen and boarding facilities. Where necessary, they arrange for the children to be fitted with artificial limbs.

198. The Ministry of Employment and Social Affairs also gives moral and financial support to associations and private institutions working with disabled children. These play a major role in this field. There are currently some 40 associations, i.e. medical and educational institutes for persons suffering from mental disabilities and rehabilitation centres for persons suffering from motor and sensory disabilities. They provide the persons concerned with suitable facilities and accommodation, specialized teaching and sometimes even vocational training. This year 3,259 persons have benefited from training programmes in 43 institutions.

199. In addition, the prevention and treatment of disabilities and the education and social integration of disabled persons of both sexes are covered by Act No. 07-92 of 10 September 1993 on the social protection of disabled persons. Article 1 provides that "the prevention, diagnosis and treatment of disabilities and the education, instruction, training, qualification and social integration of disabled persons are a national responsibility and duty". This provision echoes article 23, paragraph 1, of the Convention on the Rights of the Child, according to which "States parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community".

200. Article 2 of the Act defines as a disabled person "any person permanently or temporarily unable to perform his or her vital functions as the result of a deficiency or incapacity, without distinction between those disabled from birth and those who suffer from an acquired disability". This definition is fully consistent with that to be found in the Declaration on the Rights of Disabled Persons adopted by the General Assembly of the United Nations on 9 December 1975.

201. The State and local authorities are therefore required to ensure the training of medical and paramedical personnel and special instructors for disabled persons and to provide facilities for the rehabilitation and re-education of such persons. They are likewise enjoined to do all they can to establish specialized care centres for the disabled (art. 8).

202. In order to provide them with a minimum income, the Legislature has also recognized the right of destitute disabled children whose parents do not have sufficient means to continue to receive family allowances irrespective of their age (Act 07-92 of 10 September 1993, art. 21).

203. Furthermore, a law on the social protection of the blind and partially-sighted was enacted on 6 May 1982. It requires the parents or guardians of a partially-sighted child to inform the public authorities accordingly.

204. To enhance the effectiveness of the Government's action to assist the disabled, particularly children, an Office of the High Commissioner for Disabled Persons was established on 30 March 1994. Its principal functions relate to the promotion and defence of the rights of disabled persons in general, and of children in particular. The Office is also responsible for improving the living conditions of disabled persons and working towards their social integration.

205. The Office of the High Commissioner operates at the following three levels:

(i) Preparation and implementation of programmes of prevention, through a number of activities relating to consciousness-raising, publishing, and proposals for draft legislation;

(ii) Material and moral support for disabled children with a view to integrating them into the development process on an equal footing with other children;

(iii) Preparation and implementation of education and training programmes, in collaboration with other government agencies, local authorities and associations concerned with the disabled.

206. Nevertheless, the results of these activities fall far short of the ambitions of the Government, which intends, despite the disproportion between available resources and recognized needs, to make an effective contribution to reducing the psychological, social and economic effects of disability, particularly when it affects children.

C. Health and health services (art. 24)

207. In accordance with the principles proclaimed in the Charter of the United Nations, the right to health care is one of the legitimate rights of every child.

208. Article 6 of the Convention stresses the child's inherent right to life and the State's obligation to ensure the survival and development of the child. Article 24 sets out the rights of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health, with special attention to primary health care, preventive health care and informing the population. Reducing infant mortality and requiring States to try and abolish traditional practices prejudicial to the health of children continue to have priority. These objectives tie in with those set by the World Summit for Children, held in 1990.

209. Conscious of the vulnerability of mothers and children, in the 1970s Morocco introduced programmes for the promotion of maternal and child health.

Thanks to the efforts by the State and the support from various bodies, including a number of international organizations, better access to basic health care has been ensured and there has been an improvement in health indicators as a whole.

210. All the programmes carried out by the Ministry of Health seek to reduce child mortality and morbidity in general, and among those under the age of 5 in particular. Improvements in the living conditions of children (adequate food and nutrition), health care (vaccinations and measures to prevent diarrhoea, acute respiratory infections and iodine deficiency disorders), the education of mothers (schooling for girls) and access to drinking water are all factors that have greatly contributed to the achievement of these aims.

211. Morocco is determined to continue and to step up its efforts to ensure a brighter future for its citizens, and particularly for its children. Accordingly, a number of health programmes have been restructured and strengthened in the 1990s.

D. Social security and child-care services and facilities (art. 26 and art. 18, para. 3)

1. Social security and child-care services

212. Since it was founded in 1959, the National Social Security Scheme (CNSS) pays daily maternity leave allowances to employed women and family allowances.

213. Through reforms introduced in this scheme, maternity allowances on a full pay basis have been extended to 12 weeks, allowances for the first three children have been increased substantially and allocations for three other children, up to a maximum of six, have been maintained at their previous level.

214. A similar system, not falling within the National Social Security Scheme, exists for public employees and members of the armed forces.

215. Under articles 6 and 7 of the Decree of 30 December 1972, concerning the benefits provided by the CNSS, family allowances continue to be paid up to age 18 for children serving apprenticeships and up to age 21 for children continuing their studies, as well as for a child who

> "as a result of a disability or an incurable illness is unable to engage in gainful employment, and for the daughter or sister of the beneficiary or of his/her spouse who, being under 21 years of age, lives under his/her roof and is engaged exclusively in household work as well as in raising at least two children of a minimum two years of age who are dependants of the beneficiary and whose mother works or has a permanent industrial disability equal to or greater than 70 per cent".

The benefits of this provision were extended in 1993, without taking age into account, to cover the disabled, as stipulated (see above, B. Disabled children).

216. Financial assistance for medical care has also been instituted for workers who are already beneficiaries of the CNSS, and for their spouses and dependant children. Both the effectiveness and the ceiling of annual reimbursements authorized under such assistance are none the less limited.

217. It should be noted that, although the free care in public health centres and school health services has long made it possible to monitor children's health and provide them with the necessary services, the fact that it is free is now being questioned, as a part of the budget reduction policy of the past decade, the result being that some of this care has been eliminated. That is why a compulsory health insurance scheme is being created. At the outset, all wage-earning workers and retirees from the public and private sectors, as well as members of their families, are eligible, but the scheme is expected to be extended subsequently to the self-employed. It should cover at least 50 per cent of both preventive and curative health expenses.

218. With the subsidized health-care scheme for the poor, the health needs of everyone, notably children, will be entirely covered.

219. Consolidation of this system in the years ahead and coordinating it with different supplementary insurance schemes (mutual insurance companies, social work, private insurance) should mean a definite improvement in current national insurance benefits and health coverage for children in particular. The same effort to extend and improve benefits has been called for within the framework of the CNSS (craftsmen, health insurance, self-employed workers).

2. Child-care facilities

220. In addition to the numerous private child-care institutions in existence, the CNSS and other public institutions run their own nurseries and kindergartens. There are 274 kindergartens under the direction of the Ministry of Youth and Sports, and 143 under the Mutual Aid Society, in addition to those under the Ministry of Employment and Social Affairs, the children's homes and the "SOS Children" Villages.

221. Despite the progress, however, much remains to be done, particularly in taking care of street children and helping needy families.

E. Standard of living (art. 27)

222. The population of Morocco is estimated at 27 million. With a natural annual growth rate of 2.6 per cent, it is projected to double approximately every 25 years. Demographically, there is a strong predominance of young people, as the under-15 age group accounts for 40 per cent, and the under-20 age group, 51 per cent, of the total population.

223. The geographical diversity, fluctuations in climate and inadequacy of economic resources make for significant disparities between the regions and between the rural and urban areas.

224. Although positive results have been achieved in some sectors, the Moroccan economy still suffers from a number of constraints on both the domestic and the external levels.

225. The main occupation is agriculture. However, irregular rainfall and long periods of drought are a hindrance to the national policy of self-sufficiency in staples, which has been followed since independence and has been implemented especially by building dams, developing a strong infrastructure of land development and encouraging production.

226. Morocco has particularly suffered from the Gulf crisis, which had an adverse impact on harbour traffic, tourism and related sectors, such as transport, crafts and the hotel industry. The loss of the Iraqi and Kuwaiti markets for petroleum supplies and the sale of domestic products placed an added burden on the balance of payments.

227. Improving the living conditions of the population will therefore require intensified government efforts.

228. Morocco is supporting the agricultural and fishery sectors in order to provide the people with a suitable level of nutrition. The Government is also endeavouring to ensure an adequate and constant supply of foodstuffs, and is controlling the prices of staples. Agricultural activity has been fully exempted from tax up to the year 2020.

229. Malnutrition is monitored and detected by regularly weighing the children who come into the health-care centres, where the maternal and child health units have been provided with the necessary equipment. Mobile teams take care of population groups unable to reach the other units.

230. Every child with nutrition deficiency is rehabilitated by the administration of Actamine 5 for a period of two to three months, depending on the severity of the malnutrition.

231. The availability of housing is one of the Government's top social priorities. Since independence, the authorities have endeavoured to ensure that every family has suitable housing.

232. In the face of a galloping demographic growth rate and a massive rural exodus, the Government has undertaken several building programmes through the Ministry of Housing, which has many regional and provincial offices countrywide. It has also taken other steps for housing, setting up regional development and construction centres that undertake building projects to resolve the housing problem. A national safe housing agency deals with the reclamation of unsatisfactory housing zones and with land and real estate development for needy segments of the population.

233. The national effort in this area does not consist solely of direct intervention by the State. It is also supported by assistance from the private sector, which enjoys a number of incentives accompanied by preferential financing terms for housing and property loans.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

234. Cultural, educational and leisure activities are essential to the development and full realization of an individual's personality. Cultural activities make for the development of a critical faculty and a sense of

judgement. The acquisition of knowledge in various domains also encourages an open mind and makes people better able to perceive and appreciate events with objectiveness and insight.

235. Leisure pursuits that are a distraction and are relaxation for a person when he is not engaged in his usual activities must be considered as vital and indispensable to a well-balanced human being.

A. Education, including vocational training and guidance (art. 28)

1. Education and training

236. The equal right of girls and boys to education has been recognized in successive Constitutions. Article 13 of the 1992 Constitution states that "all citizens have equal rights to education ...". In addition, the dahir of 13 November 1963 expressly proclaimed education is compulsory. The texts implementing this law have not, however, been adopted, owing to economic and social obstacles that stand in the way of school enrolment for everybody.

237. As a member of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and as a result of ratification of the International Covenant on Economic, Social and Cultural Rights on 3 May 1979 and of the African Cultural Charter on 24 October 1979, Morocco has committed itself to fostering culture, combating illiteracy and guaranteeing cultural freedoms and rights.

238. Morocco has also acceded to international conventions aimed at promoting culture, including:

UNESCO Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character, adopted at Beirut on 10 December 1949 (date of accession: 3 October 1963);

UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials, adopted at Florence on 17 June 1950 (date of accession: 3 October 1963).

239. Similarly, Morocco has acceded to the Convention against Discrimination in Education (30 August 1968) and the Protocol Instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between State parties to the Convention against Discrimination in Education.

2. Education and National Plan of Action

240. The reform of the education system that began in 1985 is one of the most important ever undertaken since independence, in that it includes a major reorientation of the basic choices under the education policy. The objectives and priorities of the education system have been redefined to make it more

efficient and equitable. The adaptation of the system to the needs of socio-economic development has resulted in profound changes in both form and content. The 12 years of primary and secondary education have been reshaped as 9 years of basic education followed by 3 years of secondary schooling.

241. Introducing the new structure and curricula will take about 10 years. By gradual adaptation, the Government's action will continue until the new system is completely operational.

242. The new activities in fostering education in keeping with the guidelines of the reform programme and objectives of the 1988-1992 Plan include, more particularly, action to:

Provide access to basic education, ensuring the greatest possible equality of opportunity for the various social groups;

Help improve the quality of education;

Help strengthen the link between training and employment so as to respond better to the needs of development.

(a) Improving access to basic education

243. The objective of the Moroccan Government is to continue to move towards universal basic education. To this end, particular efforts are being deployed to spur the social demand for schooling in the first cycle and to facilitate access to the second cycle.

(b) Development of preschool education

244. At present, in addition to the Ministry of Education, several other departments and institutions are involved in preschool education. Their work is carried out throughout Morocco by private initiative. Nearly 120 authorizations are delivered each year for new private establishments.

245. The Ministry of Youth and Sports runs 275 day-care centres and provides training and re-training for teachers through the Royal Institute of Professional Training.

246. The Ministry of Employment and Social Affairs administers 134 day-care centres and trains kindergarten teachers within the framework of the Centre for Professional Training in Agadir (southern Morocco).

247. The Office of the Under-Secretary of State for the Moroccan community abroad monitors the Koranic schools that teach children who live in Moroccan communities in Europe.

248. The Moroccan League for the Protection of Children also runs 46 crèches and day-care centres, a national research centre on the mother and the child, private children's homes and a continuing education centre for women teachers.

249. For better coordination of all the parties concerned, under decree No. 91-87-126 of 15 October 1991 the Ministry of Education has the responsibility for monitoring the educational process and granting the authorization to set up private preschool institutions.

250. It should also be stressed that a number of steps taken to develop the preschool sector are currently being carried out in conjunction with several partners, including the World Bank and UNICEF. Projects now under way are part of the measures for the 1990s and include the following:

Development of research;

Initial and continuing education of counsellors and teachers;

Review of curricula and teaching guides;

Design of appropriate learning materials;

Production of documents for children;

Planning of infrastructure adapted to the needs of children; and

Continuous supervision of the establishments.

(c) Broadening access to the first cycle of basic education

251. In implementing the reform and the 1988-1992 Action Plan, followed by the 1993-1997 Action Plan, special attention has been paid to providing schooling for disadvantaged populations or social groups. Measures already adopted to this end are aimed at overcoming the greatest obstacles to the spread of schooling in the rural areas, namely: difficult access to primary schools in remote rural areas; low enrolment ratio in the rural areas, especially among girls; and difficulties in securing a commitment by children and their families to school attendance in spite of their material problems.

252. To overcome these obstacles, the Ministry of Education has devised a strategy to reverse the trend in rural school attendance and halt the declining numbers of new enrolments of recent years. Education must spread at the steady pace set by the Action Plan, by making educational services more physically and economically accessible.

253. As regards infrastructure, the Action Plan calls for expanding the network of schools to communities with at least 300 inhabitants, and providing them with school canteens and housing for the teachers. This will reduce the long distances pupils must often travel to attend school and subsequently cut down the number of drop-outs, among girls in particular. The availability of housing will provide some stability to the teachers, who are often unmotivated because of the lack of accommodation in remote rural areas.

254. Furthermore, the strategy includes subsidies to offset the expenses of schooling for the family, in particular by setting up a scheme for renting or

schoolbooks and supplies or selling them at low cost. It also calls for minimizing the impact of the family's loss of earnings by adapting school schedules to the exigencies of local community life.

255. This strategy is in accord with the provisions of article 28, paragraph 1, of the Convention on the Rights of the Child, which stipulates that States Parties recognize the right of the child to education, and guarantee that right on the basis of equal opportunity.

256. In rural areas, information and consciousness-raising campaigns have been targeted at parents in order to improve school enrolment of both boys and girls.

257. New initial and continuing education programmes, designed and tested before use, should also help to enhance the teachers' skills and prepare them for teaching in rural areas, especially by introducing them to multi-level teaching techniques, which are to be used in classes serving sparsely populated areas.

258. This strategy advocates that local potential and initiatives should be accompanied by government efforts. Local communities are thus being asked to contribute to the action by the Ministry of Education, particularly by contributing to information campaigns, facilitating the acquisition of land to build schools on and encouraging any action to improve the working conditions of students and teachers.

259. Within the framework of this policy, which has financial backing from the World Bank and the African Development Bank, an initial project, targeted at the first cycle of basic education in rural areas, was started up in 1989 and was extended to 1994.

260. It should also be noted that total enrolment in the first basic cycle has risen, from 1,427,500 pupils in 1975 to 2,405,700 in 1983 and 2,769,323 in 1993.

261. Overall, the enrolment ratio of girls was about 41.5 per cent in 1991 and 43.26 per cent in 1993/94. In urban areas, the ratio increased from 47.5 per cent to 56.7 per cent, in rural areas, from 34.5 per cent to 38.43 per cent. However, despite this increase, school attendance by girls in rural areas is still low and is a matter of concern.

(d) Improved access to the second cycle of basic education

262. The increased percentage of students reaching the second cycle of basic education, and the accelerating rate of completion of, and increased access to, the first cycle are reflected in a significant growth in the number of pupils entering lower secondary school. The number enrolled in the second cycle went from 214,500 in 1990/91 (40.73 per cent of them girls) to 269,400 in 1993/94 (41.01 per cent girls). This trend will continue steadily during the years to come, and the numbers will stabilize only in the medium term, after the two cycles of basic education have been fully established.

263. The geographical coverage of the secondary schools is not, however, broad enough to accommodate all the potential pupils, particularly those from the rural areas. If they wish to continue their studies, 80 per cent of such pupils who reach the second cycle of basic education must travel to the urban centres, where the secondary schools are concentrated. For most of them, boarding school scholarships are still the only means by which they can complete their basic schooling.

264. In order to cut down the number of drop-outs and broaden access to the second cycle of basic education, the Ministry of Education is aiming at gradual coverage of the rural communities by setting up small lower secondary schools. This objective is in keeping with article 28, paragraphs (d) and (e), of the Convention.

265. In addition to these activities to develop lower secondary education in rural areas, the Ministry of Education is starting to implement a project to develop communal junior high schools with boarding facilities or canteens, depending on the particular features of the places where such schools are to be established. Once the project has been adopted, implementation might be spread over the next five years.

266. The two projects for the development of the first and second cycle of basic education in rural areas do not cope solely with problems of infrastructure; they also attach great importance to improving the quality of teaching.

(e) Improved quality of teaching

267. The purpose of the education system established by the reform is to prepare young persons either to continue their education at a higher level or to receive vocational training before they start their working lives. Curricula are designed to give them fairly broad general training to enable them to fit into a changing social and economic environment.

268. Particular attention is being paid to improved teaching of science and languages, a diversified curriculum content in the second cycle and stronger links with vocational training.

3. Vocational guidance

269. The vocational training sector is still marked by the reform of 8 July 1984, the objectives of which may be summarized as follows:

Expansion of vocational training as an instrument of human resources development and economic and social advancement;

Constant improvement in the quality of training to bring training more into line with available jobs;

Promotion of the employment of school graduates and the organization and upgrading of occupations.

270. Under the regulations in force, access to vocational training is available to all young persons, without distinction, as of age 15, for specialization levels.

271. In addition to the general vocational training system, a system for the training of juvenile delinquents from 12 to 18 years of age has been set up in schools for young workers that are operated by the Ministry of Youth and Sports. The training lasts one to three years, in carpentry, upholstery, plumbing, electricity, mechanics, shoe-repairing, masonry, farming, hairdressing, garment-making, domestic science and locksmith work.

272. In view of the importance of vocational training for young persons, the Ministry of Vocational Training is now carrying out a study on the development of special types of training for disabled persons and juvenile delinquents with a view to setting up a specific system alongside the one that already exists.

B. Aims of education: teaching and human rights (art. 29)

273. In accordance with article 29, paragraph 1 (b), of the Convention on the Rights of the Child and the provisions of the Convention against Discrimination in Education (instruments of ratification deposited on 30 August 1968), the objective of education in Morocco is full development of the human personality, the provision of training to help everyone to assume responsibility for meeting his own needs through a freely chosen occupation, the strengthening of respect for human rights and fundamental freedoms and tolerance, peace and friendship among groups, whatever their origin, beliefs or culture.

274. Accordingly, the freedom of parents to choose between public and private schools for their children has always been respected.

275. Foreign communities and the Moroccan Jewish community have always had the right to their own educational activities, including the educational management of schools, provided they ensure equal access for all and do not force students to receive religious instruction that is incompatible with their beliefs.

276. Many persons, both Moroccans and foreigners, open private schools and thus help to give parents and children a variety of options and freedom of choice based on respect for these principles.

277. Since it gained independence, moreover, Morocco has been repealing legislative provisions which are discriminatory in terms of education. In 1963, it also established the principle of school attendance for all and public education free of charge. The policy of providing scholarships and boarding facilities has helped to ensure equality in the exercise of the right to education, which is proclaimed by the Constitution (art. 13), and has made for more effective equality of opportunity as a means of strengthening social cohesion yet respecting differences.

278. School curricula are designed to provide a standard education that is in keeping with the basic social values and the universal principles to which Morocco subscribes and which it endeavours to promote, especially through education and information.

279. As to human rights teaching, in addition to specialized training and consciousness-raising activities carried out for social welfare workers, judges, officials and other Government employees, the Ministry for Human Rights signed a cooperation agreement on 26 December 1994 with the Ministry of Education to strengthen the teaching of human rights concepts and principles in official curricula. The agreement emphasizes, inter alia, that the Moroccan Government's priorities include training citizens so as to make democratic values and human rights principles part of their daily lives and ensure that they are aware of their rights, respect the rights of others and safeguard the general interest.

280. The policy of peace among peoples, religious and cultural tolerance and rejection of political violence that the Kingdom of Morocco has always advocated within the Arab, Muslim and international communities is necessarily a rule of national conduct that Moroccan education has to establish and promote.

C. Leisure, recreation and cultural activities (art. 31)

281. Cultural, educational and leisure activities are, of course, a basic factor in the development of anyone and of a child, in particular.

282. Article 31, paragraph 2, of the Convention on the Rights of the Child provides that "States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity". In Morocco, recreational, artistic and leisure activities for children are carried out by a number of bodies, including the Ministry of Employment and Social Affairs, the Ministry of Cultural Affairs and the Ministry of Youth and Sports. The Department for Young People and Children, which reports to the latter Ministry, is responsible primarily for:

The protection of young people and children; and

The monitoring, within the limits of its terms of reference, of public, semi-public and private institutions providing care for young people and children (Decree No. 2.24.806 of 21 February 1986).

The socio-educational activities it arranges help to educate children and develop their personalities, talents and physical and mental abilities.

283. The Ministry of Youth and Sports now has 1,500 educational and training institutions throughout the provinces of the Kingdom.

1. Youth centres

284. Youth centres, which are intended for young people aged from 10 to 25, are primarily special meeting places. The recreational, artistic and cultural activities they offer play an important role in the development of young people and their creative abilities. They have increased in number, from 157 in 1981 to 250 in 1994.

2. Holiday camps

285. Holiday camps are organized by the Ministry of Youth and Sports for children and young people from the ages of 5 to 19. The number of participants has been increasing steadily and rose from 15,727 in 1987 to 33,700 in 1994. Various activities are possible at such camps: games, theatre, excursions, competitions.

3. Television programmes for children

286. The audio-visual medium, television in particular, is of primary importance. The drawing power of television for children is well known. Television plays both an educational and a recreational and leisure role. There are three kinds of programmes for children on Moroccan television:

Recreational programmes for small children, with, among other things, puppet shows and cartoons;

Educational programmes;

Teaching and educational programmes for parents.

The most important children's programmes include "Mini-chaîne" (three hours a week), "Un moment pour l'enfant" (30 minutes) and cartoons, which are shown half an hour every day and children enjoy very much.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency

287. Since independence, Morocco has made sustained efforts to assist children in care and the orphaned children of servicemen who took part in the Second World War. A specialized department was set up in this connection to arrange pensions and to recognize specific rights for this category of citizen: free care, priority employment, vocational training, and so on.

288. The establishment in 1973 of the High Commission for Former Resistance Fighters and Former Members of the Liberation Army was to spell the end of this phase, during which a considerable number of minors were among those to benefit from the measures implemented.

289. However, since the peaceful recovery, in 1975, of the southern part of its territory, previously occupied by Spain, part of the population of this

region has been transferred to the south of Algeria. Held in camps with armed guards, these families live in very precarious conditions. The children are systematically regimented and almost 6,000 of them have been separated from their families and sent to Cuba as from the age of six.

290. Morocco is tirelessly making every political and diplomatic effort to secure their return and is closely collaborating with the United Nations to expedite the organization of a referendum on self-determination and to put an end to this intolerable situation.

B. Children in conflict with the law

1. Administration of juvenile justice (art. 40)

291. Any child alleged to have infringed the penal law and brought before the judicial authorities enjoys the same safeguards as does any other citizen.

292. Under article 10 of the Constitution he or she may be arrested, detained or punished only on the grounds and in the manner specified by law. He or she enjoys the safeguards contained in the Code of Criminal Procedure: presumption of innocence, the presence of a lawyer, observance of the regulations on pre-trial proceedings and judicial remedies, etc.

293. Moreover, the Code of Criminal Procedure sets out rules relating specifically to juvenile delinquency, intended to adapt the workings of the justice system to take account of the delinquent's age.

294. When dealing with contraventions, the court sits in camera. A child under the age of 12 can only be given a warning. A child between 12 and 16 years of age can be fined or be given a warning. Moreover, if the judge deems it appropriate, he may, after handing down the decision, pass the file on to the juvenile court which may decide to place the child on juvenile probation.

295. In the case of offences, the Code of Criminal Procedure stipulates that before handing down the decision, the court shall conduct either an informal inquiry or an inquiry in the form prescribed for pre-trial proceedings; in the case of crimes pre-trial proceedings are obligatory. During the pre-trial proceedings or the inquiry, as appropriate, the judge gathers information on the family's material and moral circumstances and on the minor's character. He then orders one of the interim measures set out in the Code, pending the verdict (see below, section 4. Recovery and reintegration).

296. The Code of Criminal Procedure requires the juvenile court to inform the parents, tutor or guardian, where known, of the proceedings. If the tutor or his legal representative have not chosen a defence lawyer, the court will appoint or order the President of the Bar to appoint counsel (art. 526).

297. The presence of a lawyer is obligatory for trials of all crimes or offences involving minors under 16 years of age (Code of Criminal Procedure, art. 311). If the person being prosecuted speaks a language or a dialect

which is difficult to understand, an interpreter must be appointed. If the accused is deaf and dumb, the hearing is changed in such a way as to allow him to follow it properly. These provisions apply to both the pre-trial proceedings (arts. 112 and 113) and the trial (art. 313).

298. If the accused has accomplices who are of legal age, the proceedings must necessarily be separate.

299. Minors who commit offences are tried by the courts of first instance, which rule with a single judge in chambers. Appeals lie with the correctional division of the Court of Appeal; this division comprises three judges, one of whom, on pain of invalidity of the proceedings, must be a juvenile court judge with no previous knowledge whatsoever of the case, and the hearing is held in camera.

300. Minors who commit crimes are tried by the criminal division of the Court of Appeal, comprised of five judges, one of whom must be a juvenile court judge, and the hearing is held in camera.

2. Treatment of children deprived of their liberty (art. 37 (b), (c) and (d))

301. The Code of Criminal Procedure prohibits imprisonment of delinquents under the age of 12, even on a temporary basis (art. 528, para. 1).

302. Delinquents from 12 to 16 years of age can only be temporarily imprisoned if it appears imperative to do so or if there is no alternative course of action. If this does occur, the minor is held in a special wing or, failing such an area, on special premises. As far as possible, he is kept separate at night (art. 528, para. 2).

303. The dahir of 11 April 1915 regulating the prison system stipulates in article 2 that anyone under the age of 16 must be held completely separate both day and night from all adult prisoners. This provision is taken up in article 18 of the dahir of 26 June 1930 regulating the communal imprisonment service and system, which also stipulates that young detainees must be held in rooms or in a special wing, preferably on their own, or if that is impossible, in groups of not more than two.

304. However, imprisonment is exceptional (Code of Criminal Procedure, art. 517, see below, section 3. Sentencing of juveniles). In May 1995 out of 26,051 individuals serving sentences in Moroccan prisons, only 32 were under 16 years of age.

305. Almost all convicted juveniles benefit from the application of one of the protection or rehabilitation measures provided in the Code of Criminal Procedure (see below, section 4. Recovery).

306. Protection of Children Department of the Ministry of Sports runs the institutions responsible for training and rehabilitation. In 1994 the Department had:

10 observation centres for compiling pre-trial personality files (character study, information about the minor's family and social environment), for a total of 2,288 juveniles;

13 rehabilitation centres, for 1,087 juveniles, responsible for the rehabilitation and eduction and vocational training of minors for reintegration purposes;

3 social welfare homes for 98 juveniles. The purpose of these homes is to make sure a juvenile is mentally stable and to teach him to solve his own problems so as to prevent any further offences;

27 probation offices for 992 juveniles. Probation is arranged under the Code of Criminal Procedure (art. 550 et seq.). The probation officers watch over the material and moral aspects of the juvenile's life, his health, education, work and appropriate use of his leisure time. These officers are accountable to the juvenile courts, to which they must send quarterly reports. They must also submit a report forthwith in the event of bad behaviour, moral danger to the juvenile, any ill-treatment, if obstacles are systematically put in the way of the probation officers' work and, in general, if there is any incident or situation which they consider warrants a change in placement or custody.

3. Sentencing of juveniles (art. 37 (a))

307. A minor under 12 years of age may not be sentenced to imprisonment. Only one or more of the protection or rehabilitation measures listed in article 516 of the Code of Criminal Procedure (see section 4. Physical and psychological recovery and social reintegration) can apply.

308. Minors aged 12 to 16 are subject to the protection or rehabilitation measures set out in article 516 of the Code of Criminal Procedure. They can also, in accordance with the same article, be placed in a public institution for supervised or corrective education.

309. However, article 517 of the Code of Criminal Procedure specifies that:

"Exceptionally, in the case of juveniles over 12 years of age, and if the circumstances or the delinquent's character so warrant, the trial court may, in a specially substantiated decision in this regard, replace or supplement the measures set out in article 516 by a fine or a custodial penalty."

310. If this is done, the custodial penalty is to be reduced as follows:

If the offence is punishable by the death penalty or life imprisonment for an offender of legal age, the juvenile should be sentenced to 10 to 20 years' imprisonment;

If the offence is punishable by long-term rigorous imprisonment, the minor should be sentenced to 3 to 10 years' imprisonment;

If the offence is punishable by imprisonment, the maximum and the minimum penalties stipulated by law should be halved.

311. Juveniles cannot, therefore, be sentenced to more than 20 years' imprisonment. It should also be emphasized that in practice, it is extremely unusual for juveniles under 16 years of age to be sentenced to imprisonment.

312. Offenders aged 16 to 18 are of full age under the criminal law. However, the trial courts may, in a substantiated decision, replace or supplement the ordinary legal provisions by one or more of the protection or rehabilitation measures set out in article 516 of the Code of Criminal Procedure. Such measures are currently estimated to apply to approximately 20 per cent of young adults. The Second National Congress on the Rights of the Child recommended that the courts should make greater use of this option.

4. Physical and psychological recovery and social reintegration

313. Between the time juveniles are arrested and put on trial, an examination must be conducted into their personality, social environment and background. If the offence committed is a crime, the examination forms part of the entire pre-trial investigations and is obligatory. For misdemeanours, the law allows for the juvenile to be directly summoned to appear before the trial court. In practice, however, a juvenile court judge is appointed by the court of first instance and it is he who conducts the inquiry into the minor's personality.

314. The Code of Criminal Procedure calls for provisional measures at this stage of the proceedings (art. 527), so that the juvenile can be placed in an observation centre if deemed necessary. Pending trial, the juvenile may also be turned over to his parents, possibly on probation.

315. Placing the child in an observation centre should enable the trial judge to adapt the penalty to the particular personality.

316. A minor under 16 years of age who has committed an offence may, except on substantiated grounds (see section 3 above, Sentences of juveniles), be the subject solely of one or more of the following protection measures:

Return to the parents or guardian, the person under whose care he was previously or a trustworthy person;

A system of probation;

Placement in an approved public or private educational or vocational training establishment or institution;

Placement in an approved medical or medico-educational establishment;

Placement by the public assistance service;

Placement in a boarding school suitable for juvenile offenders of school age.

317. A minor placed in a re-education establishment receives schooling and vocational training designed to facilitate reintegration. Some occupations are taught in the re-education centres, where children are trained by teachers.

318. However, the resources available to these establishments are still not enough for them to attain the desired objectives under the best conditions possible.

C. Children in situations of exploitation, including recovery and social reintegration (art. 39)

1. Economic exploitation: Child labour

319. The law applicable to work by children does not help to determine their actual participation in economic activity or the exploitation to which they may be subjected. Labour legislation is indeed inadequate: it is somewhat ineffective and it covers only paid work for commercial production.

320. Entire sectors of the economy - rural areas, cottage industries, the informal sector of small-scale production and the like - therefore remain outside the purview of the applicable law. The activities in these areas generate an often meagre income and persist only because of great human effort.

321. The least skilled and most disadvantaged are forced to work in these areas. Some of the urban children are a part of this "under proletariat", whose conditions of work and pay are beyond all government control. Little girls are hired, especially for weaving, by female employers working at home or in sweatshops. Young boys are placed in small businesses and trades to learn on the spot and particularly to work as all-round helpers.

322. In rural areas, it is not unusual for young children to be taken on as shepherds or in crafts production.

323. In all these cases, it is easy to break the law because of the informal nature of the businesses and because of the desire of those involved to keep their relationships hidden, especially from State officials.

324. Another form of exploitation of children, and of girls in particular, is paid housework. Disadvantaged parents, often from rural areas or poor urban zones, place their daughters with well-off or middle-class families to do the housework. These young servants generally receive room and board from their employers, who make a usually modest payment to the parents. The children are then expected to provide the household with continual domestic service. Their relations with their parents are often reduced to a weekly, if not monthly or yearly, visit.

325. This working relationship is not covered by labour law, which is confined to economic units. Consequently, it is not strictly illegal and continues because of the poverty of a large number of homes.

326. Under the draft Labour Code referred to earlier, the regulations applicable to the industrial and service sectors will not be extended to cover domestic servants. Nevertheless, it does call for a particular legal regime for them.

327. In rural areas, paid labour is unusual for young people. In urban areas, by contrast, it is the most common form of entry into the labour market for young people under age 15.

328. A similar form of exploitation may exist even in family work. Most children in the countryside, who have never been to school or have dropped out at an early age, are involved in the family farm. Depending on their age and abilities, they may have to do household chores, tend flocks or work the land.

329. In urban areas, children are involved in their parents' economic activities, whether in trade, crafts or small jobs in the informal sector. This is especially true of disadvantaged families who are unable to meet their basic needs or who find these activities are an alternative for children who have failed at school.

330. Some of the young people whose parents are unable to take care of them (large families, parents who are separated, sick or among the long-term unemployed) work directly on their own account, generally for little money, as shoeshine boys, street porters, sweet vendors and the like.

331. The law has not as yet intervened in unpaid labour relations. If it did, it would assuredly be ineffective until such time as all children went to school before they reached working age and poverty was no longer such a burden in the rural and semi-urban areas.

332. Exploitation of child labour is a deeply entrenched social phenomenon that is kept alive by poverty. Targeted action could at least get rid of its most dangerous manifestations, but it could certainly be eradicated by universal education, large-scale assistance to young people in difficult situations and an improved standard of living for the parents.

2. Drug abuse (art. 33)

333. The cultivation of kif, which was organized lawfully by the protectorate, was not totally outlawed until the eve of independence. As a result, since independence Morocco has had to cope with a very difficult situation. Enormous financial outlays were necessary and, despite the efforts, lands previously given over entirely to the cultivation of kif have never been completely reconverted to other uses. It should none the less be pointed out that international assistance never matched the initial pledges.

334. However, under the dahir of 24 April 1954 (subsequently amended several times, in particular by a dahir of 21 May 1974, which increased its severity), "the cultivation, harvesting, production, processing, extraction, preparation,

possession, supply, distribution, brokering, purchase, sale, transport, import, export or consumption, in any form whatsoever, of kif hemp" is prohibited by sentences of up to 10 years' imprisonment.

335. The problem will not, however, be solved until the kif growers can find another source of income. A major programme has been undertaken to this end, but the results expected have yet to be achieved. The requisite effort is all the greater in that kif is grown in inaccessible and quite poor regions. Under present circumstances, children obviously help their parents in both raising and moving the crops. Some of the minors eventually become consumers.

336. In recent years Morocco has faced another problem: the influx of "hard" drugs (especially synthetic drugs) from abroad.

337. The law stipulates severe punishment (dahir of 21 May 1974 on the suppression of drug abuse and the prevention of drug addiction). The penalties for the import, trade, possession and use of substances or plants classed as narcotic drugs can be as much as 10 years' imprisonment accompanied by large fines and confiscation. The penalty is increased for doctors or pharmacists who issue or fill prescriptions facilitating the use of narcotic drugs by persons under 21 years of age. The same penalties are applicable in the case of kif.

338. Aware that such measures were not enough to prevent consumption, in 1974 the Legislature prescribed that no legal action should be taken against consumers who agree to detoxification treatment. The law also allows for care arrangements within the family setting, particularly for minors (art. 8).

3. Sexual exploitation and sexual abuse (art. 34)

(a) Sexual exploitation

339. The Penal Code punishes any act of abetting, assisting or protecting the prostitution of others; sharing the proceeds of the prostitution of others; hiring, training or maintaining a person for purposes of prostitution, even with his/her consent; inciting a person to prostitution or debauchery; or acting as intermediary in any capacity whatsoever between persons engaged in prostitution or debauchery and individuals who exploit or remunerate the prostitution or debauchery of others.

340. The sentence ranges from six months' to two years' imprisonment and a fine, but if the offence is committed against a person under 18 years of age, and if it is accompanied by the use of force, abuse of authority or fraud, the sentence then rises from two to five years' imprisonment (Penal Code, art. 498).

341. Article 497 of the Penal Code also punishes any habitual act of provoking, encouraging or facilitating the corruption of persons under 18 years of age, or any occasional such act, in the case of persons under 15. The sentence is two to five years' imprisonment and a fine.

(b) Sexual violence

342. Articles 483 et seq. of the Penal Code punish immoral acts.

343. The younger the victim, the harsher the punishment.

344. Indecent but non-violent acts are punishable only if the acts are performed or attempted on the person of someone under 15 years of age, of either sex; the sentence is two to five years' imprisonment (art. 484).

345. Indecent assault is punishable by 5 to 10 years' imprisonment if the victim is an adult, and 10 to 20 years in the case of persons under 15 (art. 485).

346. The same applies to rape: if the victim is under 15 years of age, the sentence is doubled (5 to 10 years' imprisonment becomes 10 to 20 years, under article 87 of the Penal Code).

4. Other forms of exploitation (art. 36)

347. In addition to the exploitation of child labour and sexual exploitation, other forms of exploitation are covered by special provisions. For example, children are protected against exploitation for purposes of begging. The punishment for begging is more severe if the beggar is habitually accompanied by one or more young children other than his/her own offspring (Penal Code, para. 3, art. 327).

348. Any father, mother, guardian, master or, generally, any person with authority over or responsibility for a child who turns over his or her child, ward or apprentice, even free of charge, to vagabonds or individuals who engage in begging may be sentenced to six months' to two years' imprisonment. The same penalty applies to anyone who turns children over, or causes them to be turned over, to beggars or vagabonds, or who has induced children to leave the home of their parents or guardians in order to follow such beggars or vagabonds (Penal Code, art. 330).

5. Sale, trafficking and abduction (art. 35)

349. The sale of human beings is strictly prohibited by the legal system. It is contrary to the Constitution, which provides for the equality of all citizens and guarantees fundamental freedoms (freedom of movement and of expression). It is contrary to public order (ordre public), and this would entail nullification of any such transaction.

350. The abduction of children falls under the criminal law: the act of abducting, enticing or moving a person under 18 years by violence, threats or fraud, or of causing him to be abducted, enticed or moved from premises in which he has been placed by those with authority over him is a crime punishable by 5 to 10 years' imprisonment. If a minor who has been abducted or carried off in this fashion is under 12 years of age, the sentence is doubled (Penal Code, arts. 471 and 472).

351. The abduction without violence of a person under 16 years of age is also punishable (one to five years' imprisonment (Penal Code, art. 475).

D. Children belonging to a minority or an indigenous group (art. 30)

352. Moroccan society has Berber origins. Islamicized in the sixth century, it has taken in and assimilated various Muslim groups and communities from the Middle East, sub-Saharan Africa and Andalusia. In many regions, local arts, languages and dialects, which reflect and enrich the diversity of society, are transmitted by popular tradition.

353. Under the Constitution, Arabic is the official national language. Its use by the State helps to strengthen national identity and social cohesiveness. Government policy also tends, however, to recognize the right of existing ethnic or religious groups (ethnic communities, the Jewish community) to manage their collective patrimony (community lands, cultural heritage).

354. At the initiative of His Majesty the King, State television recently agreed to give more news programmes in various languages and dialects, in accordance with a practice carried out on a much broader scale by public-owned radio stations.

355. Children benefit from this liberal, non-discriminatory atmosphere. None the less, it is difficult in Morocco to identify any "children belonging to a minority or an indigenous group".